IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.6189 OF 2005

Suresh Kalyanji Bhagat ...Applicant
vs.
State of Maharashtra ...Respondent

Mr.A.H.H.Ponda for the Applicant
Mr.R.Y.Mirza,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : SEPTEMBER 26,2005

P.C.:

1. The learned Advocate for the Applicant seeks permission to withdraw this application with liberty to file the application for anticipatory bail in the Sessions Court and with liberty to file appropriate proceedings for other prayers. The learned A.P.P. for State on instructions states that till 3rd October 2005 the Applicant will not be arrested in connection with C.R.No.66 of 2005. He states that the said statement is made only with a view to allow the Applicant to file application in appropriate Court for seeking necessary relief. The said statement cannot be construed as any admission on the part of the Investigating Officer.

2. Hence, application is dismissed as withdrawn with liberty as prayed. The statement of the learned A.P.P. that the Applicant will not be arrested in connection with C.R.No.66 of 2005 till 3rd October 2005 is accepted.

3. It is made clear that the appropriate Court will decide the application for anticipatory bail made by the Applicant if any on its own merits without being influenced by the aforesaid statement of the Investigating Officer which is recorded in this order. The statement of the Advocate for the Applicant that advance notice will be given by the Applicant to the Investigating Officer of the application made in the Sessions Court is accepted.

JUDGE